

**Notice of Allowability**

Application No.

10/001,261

Examiner

Thomas K. Pham

Applicant(s)

WILLIAMSON, CHARLES G.

Art Unit

2121

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment file 06/09/2006.
2. ☒ The allowed claim(s) is/are 1,3-10,12-21 and 23-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marina Saito on 08/03/2006.

The application has been amended as follows:

- Claims 11, 22 and 33 are now cancelled.
- Claim 9: line 1 replace the dependency "claim 2" with "claim 1".
- Claim 10: line 1 replace the dependency "claim 2" with "claim 1".

### ***Reasons for Allowance***

2. Claims 1, 3-10, 12-21 and 23-32 are allowed.
3. The following is an examiner's statement of reasons for allowance:

While Van Dort (U.S. Patent No. 5,537,104) discloses a system for controlling of equipment in a working or living environment that includes a plurality of actuator units and equipment units. Each of the units includes an event table, which includes event fields, address fields, and instruction fields. When a unit changes state, addresses of other units and the corresponding instructions are retrieved from the event table and transmitted to the other units which causes the other units to change state. Van Dort does not indicate that any of the equipment transmits a message from that equipment containing information regarding the state

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of that equipment; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

And Yoneda et al. (Japanese Patent No. 2000-357146) discloses an information processing and recording system for network home appliances having a communication function are interconnected to structure a home network. The network home appliances can monitor their states, generate messages to the user who owns the network home appliances according to the states via electronic mail. Yoneda does not disclose formatting a state message containing a state of a coffeemaker apparatus; transmitting the state message from a network interface for reception by another device; controlling the coffeemaker apparatus based on the state of the coffeemaker apparatus; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

The prior art of record fails to teach or fairly suggest to one of ordinary skill in the art at the time of the invention, in conjunction with all the other claimed limitations, an apparatus and method having all the claimed features of applicant's instant invention, specifically including: formatting a state message containing a state of a coffeemaker apparatus; transmitting the state message from a network interface for reception by another device; controlling the coffeemaker apparatus based on the state of the coffeemaker apparatus, etc., as set forth in the claims.

Also, there is no motivation to combine the Van Dort reference with the Yoneda reference to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday to Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Thomas Pham**

*Patent Examiner*

A handwritten signature in black ink, appearing to read 'Tham Pham', with a long horizontal flourish extending to the right.

August 3, 2006